

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

IN RE: C. R. BARD, INC.,
PELVIC REPAIR SYSTEMS
PRODUCTS LIABILITY LITIGATION

MDL NO. 2187

THIS DOCUMENT RELATES TO THE CASE
ON THE EXHIBIT ATTACHED HERETO

ORDER

(Dismissing Defendants C. R. Bard, Inc. and Covidien Entities with Prejudice
And Transferring Case to MDL 2327)

Pending in MDL 2187, 2:10-md-2187 [ECF No. 4815], is a Joint Motion to Dismiss Certain Defendants with Prejudice filed by plaintiff, identified on the attached Exhibit A, C. R. Bard, Inc., (“Bard”), and Sofradim Production SAS,¹ Tissue Science Laboratories Limited,² and Covidien LP³ (collectively the “Covidien entities”), to the extent they are named as defendants, seeking dismissal of Bard and the

¹ Sofradim Production SAS includes any incorrect or incomplete spellings of this Defendant, including Sofradim Corporation, Sofradim Corp., Sofradim Production, and Sofradim Production, SAS.

² Tissue Science Laboratories Limited includes any incorrect or incomplete spelling of this Defendant, including Tissue Sciences Laboratories, Tissue Science Laboratories Ltd., Tissue Science Laboratories, Inc., Tissue Science Laboratories, Limited and Tissue Science Laboratories, Ltd.

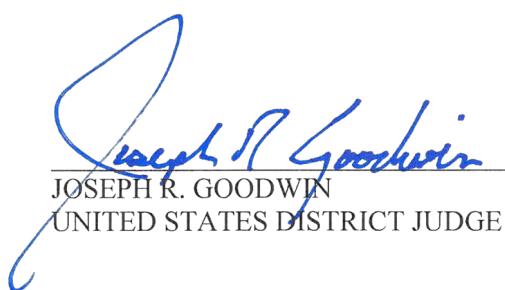
³ Covidien LP includes any incorrect or incomplete spellings of this Defendant, as well as any improperly named affiliates of this defendant, including Covidien Holding, Inc., Covidien Inc., Covidien Incorporated, Covidien International Finance, SA, Covidien LLC, Covidien Ltd., Covidien Trevoux, SCS, Covidien plc, Covidien, Inc., Covidien, LLC, and Covidien, PLC, Tyco Healthcare Group LP, TYCO Healthcare, Tyco Healthcare Group, L.P., Tyco International Ltd, United States Surgical Corporation, United States Surgical Corp., Floreane Medical Implants SA, Floreane Medical Implants, SA, Mareane, SA, Mareane SA, Medtronic PLC, Medtronic International Technology, Inc., Medtronic MiniMed, Inc., Medtronic Puerto Rico Operations Co., Medtronic Sofamor Danek USA, Inc., Medtronic Sofamor Danek, Inc., USA, Inc., Medtronic USA, Inc., Medtronic, Inc. and Medtronic, Inc.

Covidien entities from this action with prejudice because all claims between them have been compromised and settled, including all claims, counterclaims, cross-claims and third party claims. Also pending is Plaintiff's Motion to Transfer MDLs for this case [ECF No. 4815].

After careful consideration, it is **ORDERED** that the Joint Motion to Dismiss Certain Defendants with Prejudice is **GRANTED**. It is further **ORDERED** that the Motion to Transfer MDLs is **GRANTED**. Plaintiff's counsel states in the Motion to Transfer that an Amended Short Form Complaint will be filed within 14 days of the filing of the Motion. To the extent an Amended Short Form Complaint has not been filed, Plaintiff's Counsel is **DIRECTED** to file the appropriate Amended Short Form Complaint within the time frame outlined in the Motion. Defendants Bard and Covidien are **DISMISSED WITH PREJUDICE** as defendants in the action listed in Exhibit A, this action is **TRANSFERRED** to MDL 2327, and the Clerk is **DIRECTED** to disassociate this civil action as a member case in MDL 2187 and re-associate it with MDL 2327.

The court **DIRECTS** the Clerk to file a copy of this order in 2:10-md-2187 and in the individual case listed on the attached Exhibit A.

ENTER: November 15, 2017



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE

EXHIBIT A – SEARCY DENNEY SCAROLA BARNHART & SHIPLEY

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:14-cv-13735	Smith, Lori